

## REMARKS

### *Status of the Claims*

Claims 5-8, 11, 12, 14-36, 38-40, 42-45, 47-49 and 55-61 are currently pending. Claims 5, 11, 12, 36, 40, 49, 55, 60 and 61 have been allowed. Claims 55-59 have been rejoined and have been examined for patentability under 37 CFR 1.104.

### *Claim Amendments*

Claim 57 has been amended to specify that the aplasia is “red cell” aplasia. Claim 59 has been amended to delete the phrase “modulate the activity” of the receptor and to replace it with “activate” the receptor.

Claims 56 and 58 have been deleted.

No new matter has been added as a result of these amendments.

### *Rejection of claims under 35 U.S.C. Section 112*

Claims 57 and 58 have been rejected under 35 U.S.C. Section 112, first paragraph. Specifically, the Examiner says that the specification is enabling for methods of treating pure red-cell aplasia, not any aplasia. While not agreeing with the Examiner, in order to expedite prosecution, Applicants have amended claim 57 to recite “red-cell” aplasia and have deleted claim 58. In view of these claim amendments, this rejection is now moot and should be withdrawn.

Claims 56, 58 and 59 are rejected under 35 U.S.C. Section 112, second paragraph as being indefinite. The Examiner says that the term “modulating” can be interpreted as increasing or decreasing. While not agreeing with the Examiner, in order to expedite prosecution, Applicants have deleted claims 56 and 58. Claim 59 has been amended to remove the term “modulating”. In view of these amendments, Applicants submit that this rejection is now moot and should be withdrawn.

## REQUEST FOR RECONSIDERATION

Reconsideration and withdrawal of all claim rejections are respectfully requested. Applicants believe that the present application is in condition for allowance. Should the Examiner have any questions or would

like to discuss any matters in connection with the present application, the Examiner is invited to contact the undersigned at

**DyKEMA**GOSSETT PLLC  
10 South Wacker Drive, Suite 2300  
Chicago, Illinois 60606 USA  
(312) 876-1700  
(312) 627-2302 (facsimile)  
[www.dykema.com](http://www.dykema.com)  
[ipmail@dykema.com](mailto:ipmail@dykema.com)

Respectfully submitted,

/Lisa V. Mueller/

Lisa V. Mueller  
Attorney for Applicant  
Registration No. 38,978

Date:

January 21, 2008

Direct telephone calls to:

312.627.2184